

Friday, 1 November, 1946

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INTERNATIONAL MILITARY TRIBUNAL
FOR THE FAR EAST
Chambers of the President
War Ministry Building
Tokyo, Japan

EX PARTE

PROCEEDINGS IN CHAMBERS

On

Paper No. 492, entered 10/24/46 by
Counsel for Accused HASHIMOTO, Kingoro.

Application to have name of Accused
HASHIMOTO, Kingoro placed at end of list
rather than at beginning.

Before:

HON. SIR WILLIAM WEBB,
President of the Tribunal and
Member from the Commonwealth
of Australia.

Reported by:

Jack Greenberg
Chief Court Reporter
IMTFFE

Appearances:

FOR THE PROSECUTION SECTION:

(None)

FOR THE DEFENSE SECTION:

MR. E. R. HARRIS, Counsel for the
Accused HASHIMOTO, Kingoro.

FOR THE OFFICE OF THE GENERAL SECRETARY, IMTFE:

MR. CHARLES A. MANTZ, Clerk of the Court.

The proceeding was begun at 0900.

THE PRESIDENT: Do you have an application,
Mr. Harris?

MR. HARRIS: Yes, sir. HASHIMOTO is supposed to file with the Clerk his application for calling witnesses and documents, and it is supposed to be submitted on the 4th of November. It so happens that his attorney, Mr. HAYASHI, has been ill with Bright's Disease since about the first week in September, and I, myself, became his American counsel on the 1st of September. We have had very little opportunity to converse together, and he has requested permission to have his name placed at the end of the list rather than at the beginning.

THE PRESIDENT: You want his name tied at the end of the list? Well, in the Order of the Court is a provision --

CLERK OF THE COURT: This is the Order, sir (handing document to President).

THE PRESIDENT: (Continuing) that the applications may be changed as regards dates with the concurrence of all the defense counsel and of the Court. I think that is the effect of it. I do not suppose there will be any objection by other counsel -- other

defense counsel.

MR. HARRIS: No, sir. As far as I have been able to ascertain, nobody seemed opposed to it. I tried to get some of them to change the dates, but most of them would like whatever additional time they could get. It happens that the application set for the 18th has only three names: TOGO, TOJO and UMEZU. Mr. Blakeney is representing both TOGO and UMEZU so that, if the date was changed from the 4th to the 18th, I do not presume it would take much extra time to make the application.

THE PRESIDENT: Well, you can assure me that other defense counsel consent?

MR. HARRIS: Yes, sir, I can.

THE PRESIDENT: "Will agree." I think that is the expression. On that assumption, the Court also agrees -- the Tribunal, that is, so the Order will be amended by deleting the reference to HASHIMOTO where it now appears in the second paragraph of Clause 3 of the Order and inserting it in the last paragraph of Clause 3.

That is the effect of the change. We will issue an Order.

CLERK OF THE COURT: Very well, sir.

(Whereupon, at 0905, the proceeding was concluded.)